



## **CITY COUNCIL REGULAR MEETING MINUTES**

**JANUARY 28, 2003**

### **THIS IS TO CERTIFY THAT:**

The San Bruno City Council met in Regular Session at the San Bruno Senior Center at 1555 Crystal Springs Road. The meeting was called into order at 7:00 pm.

**Mayor Franzella** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

### **ROLL CALL/PLEDGE OF ALLEGIANCE:**

Recorded by City Clerk Simon, present were Mayor Franzella presiding, Vice Mayor Pallas, Councilmembers Ruane and O'Connell. Mayor Franzella stated for the record that Councilmember Ibarra would be absent with proper notice. **Police Captain Neil Telford** led the Council with the pledge of allegiance.

### **ANNOUNCEMENTS:**

**Christine Maley-Grubl, Executive Director of Peninsula Traffic Congestion Relief Alliance** presented agency annual report and noted important contribution of Councilmember Jim Ruane who volunteers and serves on the Board of Directors.

**Mayor Franzella announced that the San Bruno Redevelopment Agency** meeting will follow tonight's Council meeting. He had just been informed that Police Captain Russ Nicolopoulos underwent an emergency operation for appendicitis and is doing well.

**Mayor Franzella announced** that he had received notice from Pacific Gas & Electric Company of special Environmental Review meetings being held due to a proposed huge, "New 230 KV Transmission Line" being installed at the corner of Skyline Blvd and San Bruno Avenue and extending down San Bruno Avenue to Huntington Avenue. Public meetings will be held Wednesday 01/29/03 from 7 to 9 p.m. at the San Bruno Recreation Center, Tuesday 02/04/03 2 to 4 p.m. & 7 to 9 p.m. at San Mateo City Hall, and Thursday 02/06/03 from 7 to 9 p.m. at Albert Teglia Community Center Daly City.

**REVIEW OF AGENDA: No changes.**

**APPROVAL OF MINUTES:** Minutes dated January 14, 2003, approved as submitted.

**CONSENT CALENDAR:**

**a. Approve: Payroll** of January 17, 2003.

**b. Approve: Accounts Payable** of December 30<sup>th</sup> 2002, January 6<sup>th</sup>, & January 13<sup>th</sup> 2003. (Council packets only, copy is available for review at the City Clerk's office)

**c. Accept:** Presented by City Treasurer, Karen Hornung, reconciliation of **General Ledger** to Bank reports, and the **Investment Report** dated December 31, 2002.

**d. Approve:** adopting findings for denial of appeal of Use Permit #02-59 and Variance #02-10 reference property address of 701 2<sup>nd</sup> Avenue San Bruno, CA.

**e. Adopt:** resolution of intent to form and join the BAY AREA WATER SUPPLY AND CONSERVATION AGENCY (BAWSCA) and scheduling of public hearing by City Council at the regular Council meeting of February 11, 2003.

**END OF CONSENT CALENDAR**

**Mayor Franzella pulled Item 4e.**

**M/S Ruane/O'Connell** to approve remainder of items, all ayes, absent Ibarra.

**Item 4e: Mayor Franzella** stated this is in regard to AB 2058 Hetch Hetchy water system, which is legislation the Council supported, and only schedules meeting.

**M/S Franzella/O'Connell** to approve, all ayes, Ibarra absent.

**PUBLIC HEARINGS (NOTICES were PUBLISHED, POSTED, and MAILED):**

**City Council** review and finalize the **Tanforan Shopping Center** request for an architectural review permit, planned development permit, and adoption of an Environmental Impact Report addendum to allow a major remodel of the "Shops at Tanforan" (Tanforan Park Shopping Center); per Chapter 12.108 and Section 12.96.190 of the San Bruno Zoning Ordinance. Altoon & Porter architects, Tanforan Park Shopping Center, LLC, owner/applicant, **AR-02-04, and PDP-02-01. Grant Wilson, Associate Planner** gave staff report and noted there was a unanimous Planning Commission approval of this project and only being heard by the Council at the request of the Mayor. Since alterations visible from El Camino and since there are significant improvements permits are required. Conditions of approval are in the staff report. Adoption of resolution is required. **Councilmember O'Connell** asks for the time line for construction. Planner Wilson stated construction would start in February 2003 and finish late in 2004. No anchor store would be affected and would remain open. **Mayor Franzella** opened the public hearing and called the developer to the microphone to give his report. **Greg Watson**, managing general partner agreed this has been a long time coming. He thanked City staff for their assistance and stated they have been extremely helpful. Mr. Watson gave an overview of the project and displayed several drawings of the proposed improvements. **Councilmember Ruane** stated, "we are really looking forward to this project", would like to be there to see the hammer fall. He requested to know who some of the tenants will be. Mr. Watson said leases were in process and without giving the names of those pending final approval he could state that Barnes & Noble book store has signed and that a third party leasing agent "General Growth Properties" would not allow signing a project unless 45% plus leased. **Vice Mayor Pallas** asked about community events such as the Halloween Parade being continued. Mr. Watson stated the Mall would continue supporting community events but during construction we must work around it. **Councilmember O'Connell** asked Mr. Watson about his willingness to financial support the newly organized San Bruno Arts

Commission. Funds would not be bound to Tanforan property. Mr. Watson is in favor of bringing Arts to the Mall and very willing to sit down with staff concerning donation of funds. **Vice Mayor Pallas** stated he hopes developer supports paying prevailing wages as the City supports this. Mr. Watson stated he is using all Union Labor on the core and shell and in the leases provided to tenants it requires that any improvements must be harmonious labor. **Mayor Franzella** stated he is also excited about this project and very happy to hear Union workers will be used. **William Knack** of 1153 Chess Dr. Foster City, representing the Building & Construction Trades Council said they were in support of this project and the developer has made a commitment to the Building Trades Council. **M/S Pallas/Ruane** to close the public hearing, all ayes Ibarra absent.

**Councilmember Ruane introduced** the resolution for adoption, Clerk gave roll call, Yes, Ruane, Pallas, O'Connell, Franzella, No none, Absent Ibarra.

**Notice of upcoming Public Hearing:** The San Bruno City Council will consider for adoption a resolution approving the forming and joining of the Bay Area Water Supply and Conservation Agency (BAWSCA) at the regular City Council meeting of February 11, 2003.

#### **UNFINISHED BUSINESS:**

**Mayor Franzella requested an update** on meetings held with other agencies regarding flooding in San Bruno and Condition of Cupid Row **flood control** channel. (Fish & Game, SFO, and County Flood Control). **Jerry Bradshaw**, Deputy Director of Public Works, gave status report of storm drainage problems on East side of town. He reviewed meeting results and plans to clear Cupid Row Channel and return it to its original shape and size. The Fish & Game and the Fish & Wildlife have been very protective of the San Francisco Gardner snake and the red-legged frog. New representatives seem to be sensitive to the issue of flooding in the neighborhood. Permit application has been submitted to complete clearing of channel this summer including widening the entire length of the channel. There were also discussion and concerns about the small drainage ditch east of 7<sup>th</sup> Ave. on Airport property, which is blocked with overgrowth. If the Airport and residents can demonstrate that there was property damage due to the ditch not being cleared, we may get some action taken.

**Vice Mayor Pallas** wanted to know who is responsible for allowing the overgrowth to remain. The canals were clear when installed and people with damages should be paid for them. **Councilmember O'Connell** request a timeline for reports and feed back from the agencies involved and when dredging would actually start. Mr. Bradshaw asks the representative from the County to address the Councilmembers questions. **Neil Cullen**, Director of Public Works for the County of San Mateo responded that Cupid Row channel permit is in process now and hope to complete by spring or fall. Will have to go through a different process for remainder of canals. Flooding now is from the Cupid Row channel and County was unable to work on during BART construction. Working with BART now to repair the road over the channel and working on flood gates.

**Councilmember O'Connell** suggested since this issue has been in the newspaper and is so public that a report should be given at each Council meeting on the progress of having the canals cleared.

**Mayor Franzella** stated there was no need to have this item on the agenda unless there was something to report. The staff will continue to communicate with the other agencies and notify us when there is progress. I do not want Mr. Cullen to come to the meeting only to give us dates but will reserve his presents when we really need him here to work on problems. **Mayor Franzella** thanked Neal Cullen, the Public Works Director from San Mateo County, for attending tonight's meeting. Vice Mayor Pallas asked Mr. Cullen what residents should do if they have damages by flooding and Mr. Cullen responded they should file a claim but others handle them in the County.

**Robert Riechel** of 7<sup>th</sup> Avenue read into record a letter dated 01/28/03 concerning flooding problems and results of meetings held with agencies. Requested other residents provide him statements documenting damage done to their homes caused by drainage ditch East of 7<sup>th</sup> Ave. **Mayor Franzella** told Mr. Riechel, as we receive information, he will bring back before the Council.

**Mike Kaiser** 5<sup>th</sup> Avenue, he is with the Flood Control District and confirms there are trees and brush blocking the canal. The County dropped the ball and did not have a continuous program to maintain. EPA near Cupid Row Channel has planted blackberry bushes and no one maintains.

**Monique Duval** Chestnut Avenue read letter from Nina Shegoleff who owns Peninsula Window Coverings, LLC at 665 San Mateo Avenue. Impressed by improvements on "The Avenue", but flooding problems continue on the 600 block of San Mateo Ave. There was three inches of standing water in her shop and felt no one from Public Works was available to help during the storms. **Councilmember Ruane** requested assurance of the Public Works Director Munns that follow-up would be done to make sure merchants on the 600 block of San Mateo Ave. are able to get help during upcoming storms.

**Vice Mayor Pallas** ask the status of the six (6) submergible pumps purchased by the Fire Department to be available to Down Town merchants in the event of flooding.

**Interim Chief Dan Voreyer** responded they are at the main Fire House and available to public.

**Councilmember Ruane** asked if problem on the 600 block of San Mateo Ave. was related to channel issue, it seems to be ongoing. Scott Munns, Public Works Director, stated "No" it is not related to drainage canals east of railroad. There is an issue with drainage capacity within our own system. There is a bottleneck under the railroad and should be addressed with grade separation projects pending. System designed for 25-year storms only and storm events in December 2002 exceeded the system design.

**Related item: Fax dated 01/15/03 from Robert Riechel of 7th Avenue**, regarding flooding problems on 7th Avenue from Belle Air School to Angus Avenue. He is requesting the City of San Bruno keep residents informed of progress.

#### **CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS: None**

#### **COMMUNICATIONS:**

**Mayor Franzella** announced he had received a letter from Carolyn Livengood and had been contacted by Lullaby Lane Store personnel concerning the difficult times and hardship a longtime San Bruno resident was having. Mariana Tandy, a single parent, was diagnosed with a brain tumor, and while she is fighting hard, she was losing the battle. They are asking the community to come together and help the family with the huge

expenses and start a fund for her children. **Vice Mayor Pallas** asked that a notice be put on CATV message channel. **“Mariana Tandy Family Fund”** c/o Lullaby Lane 556 San Mateo Avenue San Bruno, CA 94066

**STAFF REPORTS:**

**Finance Director Jim O’Leary** presented mid-year 2002-03 budgets and financial update. Hand outs of the **2001-02 Budget Close-Out and 2002-03 Update** were given to public, Council, and press. San Bruno is facing the same issue as most San Mateo County Cities, that is, a slow down in the economy, especially a large reduction in sales tax and transit and occupancy tax (TOT) revenues. We now project a 4% variation, which will equal \$1,038,200 decrease in revenues, and a 1% variation, which will equal \$284,600 increase in net expenditures. General Fund Cash Projection for 2002-03 will be (\$534,254) ending balance. (\$2,136,359) in 2003-04, (\$4,131,136) in 2004-05, and finally (\$5,910,423) in 2005-06. Our City has reserves and could advance money to the general fund but unless the economy turns around we will be in deficit spending. The development at SummerHill Homes and Tanforan Park Shopping Center Improvements, and the Hotel Site at the Crossings will help increase revenues in the next few years.

It would not be prudent to leave the current structure in place. The City Manager has requested each department prepare a reduction and deferral list of expenditures. An immediate limited “hiring deferral” will be put in place and no positions will be filled unless they generate revenues. Recommends the Mayor appoint a City Council Ad Hoc Committee to review recommended services reductions.

**Mayor Franzella** appointed himself and **Councilmember Ruane** to the Ad Hoc Committee to review any proposed reduction in services.

**City Manager Frank Hedley** reviewed the progress of the Strategic Planning Workshop goals and objectives adopted by City Council on October 22, 2002. Mayor Franzella noted the workshop planned for February 13, 2003 would be rescheduled sometime in April 2003. (At approximately 9:00 p.m. Council took a 5-minute break)

**Public Works Director Munns** recommends that the City Council authorize an appropriation for additional expenditures of \$8,550 from reserves in the Water Enterprise fund, \$9,700 from reserves in the Wastewater Fund, and \$44,050 of additional expenditures from previously budgeted Street Resurfacing Program (Gas Tax) funds, for additional costs associated with the 7<sup>th</sup> Avenue and Huntington Avenue Pavement Restoration Project.

**M/S Ruane/O’Connell** to approve passed unanimously, Ibarra absent.

**REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES:** None

**PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** No one wished to speak.

**REPORT OF COMMISSIONS, BOARDS & COMMITTEES:**

**Downtown Ad Hoc Committee (Ruane/Ibarra)** recommends:

City Council approves changes of scope to the San Mateo Avenue Streetscape and Parking Modifications Project.

City Council approve advancing loan in the amount not to exceed \$185,000 to the Redevelopment Agency for the completion of the Downtown Streetscape and Parking Modifications Project. **Councilmember Ruane reported** an increase was needed due to

new wheel chair ramps, paving of street, lighting upgrades, and other improvements, which are complete now.

**M/S O'Connell/Ruane** to approve passed unanimously, Ibarra absent.

**Oral Updates:**

**Beautification Task Force (O'Connell):** Next meeting is scheduled for February 12, 2003 starting at 5:15 p.m. 1111 Bayhill Dr fourth floor Suite 480 conference room.

**Downtown Ad Hoc Committee (Ruane/Ibarra)** reported on opening of “**The Avenue**”, improvements to San Mateo Ave, which was held January 21, 2003. **Councilmember Ruane** stated we had a very nice evening for the opening, the rain held off just long enough for the event to take place. **Mayor Franzella** was very brave and took an exciting ride many feet into the air in the Cherry picker “Bucket” to unveil the new signs. He wanted to recognize staff and especially George Foscardo for all his work. San Mateo Avenue has really been improved with bright new lights. Merchants are pleased and may change their letterhead to “The Avenues”. Vice Mayor Pallas asked if mailing to “The Avenue”, would mail be delivered? City Manager Hedley said the post office will not recognize “The Avenue” at this time and San Mateo Ave still needs to be in the address.

**Citizens Advisory Committee for Caltrain Preferred Grade Separation and Station Design (Ibarra/Ruane): Councilmember Ruane** reported that it would be early April before committee can bring a recommendation back to Council. Next meeting will be Feb. 13, 2003 at 6:00 p.m. at Belle Air School.

**Facilities Needs Assessment Ad Hoc Committee (Ruane/O'Connell):** Report on discussion with San Bruno Park School District for additional parking on Linden Ave. **Councilmember O'Connell** stated the committee met with San Bruno Park School Board Ad Hoc committee to discuss further parking on Linden. Proposal was brought to Allen School PTA and they were generally favorable. Staff will bring back facts and figures later.

**NEW BUSINESS:**

**Study Sessions** scheduling. **Councilmember O'Connell** stated that the Facilities Needs Assessment Ad Hoc Committee has met and recommend a study session be scheduled to discuss 470 San Mateo Ave “The Former Wells Fargo Building” and what uses might be appropriate. February 18, 2003 Tuesday at 5:30 p.m. would be recommended. Location would be announced since the Planning Commission is using the Senior Center the same night. Mayor Franzella said would report to public at the February 11, 2003 Council meeting. Public Works director showed two slides, which give a visual of what the markings, mean which are currently on the site. The Stakes represent the centerline of new alley, which would connect property to the Jenevein Ave intersection.

**Councilwoman O'Connell** requested a review of Huntington Avenue in front of the Post Office. The traffic barrier, which prohibits a left turn out of the Post Office driveway, is very confusing and people are driving over the bump and turning left anyway. Public Works Director Munns said once the BART project is accepted; he would have this as an item on the Traffic Safety & Parking Committee agenda for a recommendation back to the City Council.

**Mayor Franzella recessed** the regular City Council meeting and called to order the Redevelopment Agency meeting for action at approximately 9:30 p.m.

**Mayor Franzella reconvened** the regular City Council meeting at approx. 9:50 p.m.

**CLOSED SESSION:**

**Mayor Franzella** requested a closed session for the purpose of:

**a.** Considering the appointment process, timetable for recruitment of a City Manager, and to review proposed City Manager employment contract. Pursuant to Government Code Section 54957. City Attorney Thompson noted the second subject about the Manager's employment contract was under government Code Section 54957.6 (Labor Negotiations)

**b.** To determine the process and criteria for conducting the City Attorney's bi-annual performance review. Pursuant to Government Code Section 54957.

**City Attorney Pamela Thompson** requests closed session regarding claim SB-696, Keith and Debbie Hoffman 2501 Cottonwood Avenue (Sewer Spill). Pursuant to government Code Section 54956.9 (a) and (b)(1).

At approximately 10:31 p.m. Mayor Franzella and Council returned from closed session and made the following announcements:

1. Council had worked out terms on City Manager employment contract and will have a resolution adopting changes on the February 11, 2003 Council agenda.
2. Council had appointed Franzella/O'Connell as an Ad Hoc committee to review process for Executive search and recruitment to begin by March 15, 2003.
3. The City Attorney Bi-Annual performance review will be held February 28, 2003.
4. Regarding the claim of Hoffman on Cottonwood Ave. (Sewer Spill), City Attorney is to monitor ABAG to ensure they fulfill their obligations under our self-insurance agreement.

**ADJOURNMENT:**

There being no further business to transact, the meeting was adjourned at 10:35 p.m. to the next regular Council meeting scheduled for Tuesday February 11, 2003 at 7:00 pm. Senior Center (1555 Crystal Springs Road).

The foregoing minutes were approved by the San Bruno City Council at a regular meeting held on February 11, 2003.

Respectfully Submitted for Approval,

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Ed Simon, City Clerk

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Larry Franzella, Mayor